

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

HT-Seattle Owner, LLC,
Plaintiff,

V.

Indian Harbor Insurance Company,
Defendant.

Case No. 2:19-cv-01713-RSL

STIPULATED MOTION FOR
EXTENSION OF TIME FOR
DEFENDANT TO FILE RESPONSE
TO PLAINTIFF'S COMPLAINT AND
~~PROPOSED~~ ORDER

Noted for October 29, 2019

Plaintiff HT-Seattle Owner, LLC (“Plaintiff”), and Defendant Indian Harbor Insurance Company (“Defendant” and collectively, with Plaintiff the “Parties”), by and through their respective counsel of record, and pursuant to Local Rules 7 and 10, and Federal Rule of Civil Procedure Rule 6, hereby stipulate and agree as follows:

WHEREAS, Defendant was served with Plaintiff's complaint (ECF No. 1-2) on or around, or shortly after, September 23, 2019 (*see* ECF Nos. 1, 1-2);

WHEREAS, Defendant filed a notice of removal of Plaintiff's complaint filed in state court on October 23, 2019 (ECF No. 1);

WHEREAS, prior to filing its notice of removal (ECF No. 1), Defendant did not answer or otherwise respond to Plaintiff's complaint in state court (*see id.*);

WHEREAS, pursuant to Fed. R. Civ. P. Rule 81(c)(2)(C), Defendant has seven (7) days after the notice of removal is filed in order to file and serve an answer or otherwise respond to Plaintiff's complaint;

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1 WHEREAS, the Parties have reached a settlement in principle in this matter and, as a result,
2 have agreed to delay and defer any further costs, time or expense related to litigating this matter
3 during the time it takes to finalize such settlement;

4 WHEREAS, the Parties have agreed that Defendant may have until December 11, 2019 to
5 file and serve an answer or otherwise respond to Plaintiff's complaint; and

6 WHEREAS, Fed. R. Civ. P. Rule 6(b) requires the Court to approve an extension of time for
7 Defendant to file an answer, and therefore the Parties collectively request the Court approve the
8 stipulation, as set forth below:

- 9 a. This is the Parties' first stipulation for an enlargement of time to respond to Plaintiff's
10 complaint;
- 11 b. The Parties stipulate and agree that the deadline for Defendant to file an answer or
12 otherwise respond to Plaintiff's complaint shall be extended to December 11, 2019; and
- 13 c. This is a same day motion pursuant to Local Rule 7(d)(1);
- 14 d. This stipulation is not made for purposes of delay.

15 IT IS SO STIPULATED.

16 DUANE MORRIS LLP

HARPER HAYES PLLC

17 By: /s/ Daniel B. Heidtke.
18 Daniel B. Heidtke (WSBN 51034)
19 801 Second Ave., Suite 800
20 Seattle, WA 98104
21 Telephone: (213) 689-7421
22 Fax: (213) 689-7401
23 dbheidtke@duanemorris.com
24 Attorneys for Defendant *Indian Harbor
Insurance Company*

By: /s/ Todd Christopher Hayes
Todd Christopher Hayes (WSBN 26361)
Attorneys for Plaintiff *HT-Seattle Owner LLC*

25 IT IS SO ORDERED this 30⁺ day of October, 2019.

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U.S. DISTRICT COURT JUDGE
U.S. DISTRICT MAGISTRATE JUDGE